

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Hoyt Demis**  
**2101 Shady Oak Lane**  
**Archdale, NC 27263**

**Lori Couch Demis**  
**2101 Shady Oak Lane**  
**Archdale, NC 27263**

SS# xxx-xx-4890SS# xxx-xx-3765

Debtor(s)

Case No. \_\_\_\_\_

Chapter 13

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on November 5, 2014 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

**I. Plan Payments**

The plan proposes a payment of **\$2,350.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

**II. Administrative Costs****1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **656.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

**1. Domestic Support Obligations ("DSO")**

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

**2. Other priority claims to be paid by Trustee**

Creditor	Estimated Priority Claim
Employment Security Comm.	<b>\$0.00</b>
Guilford County Tax Dept.	<b>\$0.00</b>
Internal Revenue Service	<b>\$22,443.20</b>
Internal Revenue Service	<b>\$64,955.50</b>
North Carolina Department of Revenue	<b>\$15,188.92</b>
Randolph County Tax Dept.	<b>\$0.00</b>

**IV. Secured Claims****1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
First Bank Corp	house and lot located at 2101 Shady Oak Lane Archdale, NC 27263 (90% tax value)	R	Y	\$843.00	\$0.00	D
Suntrust Equity	house and lot located at 2101 Shady Oak Lane Archdale, NC 27263 (90% tax value)	R	Y	\$26.00	\$0.00	D

**2. Personal Property Secured Claims**a. ☒ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

**3. Collateral to be Released**

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Honda Finance	2014 Honda Accord, Sport, 4D, 15k miles (90% NADA)
Wells Fargo Auto	2004 Ford F-150, 114k miles (driven by son) (90% NADA)
Ally Financial	2015 Mazda Mazda3 (90% NADA)

**4. Liens to be Avoided**

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
<b>-NONE-</b>	

**V. Co-Debtor Claims**

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
<b>-NONE-</b>			

**VI. General Unsecured Claims Not Separately Classified**

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is to be determined %.

**VII. Executory Contracts/Leases**

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
<b>-NONE-</b>						

**VIII. Special Provisions**

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: November 5, 2014

/s/ James L. Tennant

**James L. Tennant 6405**

Attorney for the Debtor

Address: **P.O. Box 4585  
Archdale, NC 27263**

Telephone: **336-431-9155**

State Bar No. **6405**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

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**Hoyt Demis**  
**Lori Couch Demis**

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**NOTICE TO CREDITORS  
AND  
PROPOSED PLAN**

Case No. \_\_\_\_\_

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox**  
**Clerk of Court**  
**U.S. Bankruptcy Court**  
**Middle District of North Carolina**  
**P.O. Box 26100**  
**Greensboro, NC 27402**

**Anita Jo Kinlaw Troxler**  
**Chapter 13 Trustee**  
**Greensboro Division**  
**Post Office Box 1720**  
**Greensboro, NC 27402-1720**

**Ally Bank**  
**c/o Pamela Keenan**  
**PO Box 19766**  
**Raleigh, NC 27619**

**Barclays Bank**  
**125 Southwest St**  
**Wilmington, DE 19801**

**Beeson Hardware**  
**201 Sheffield St**  
**High Point, NC 27260**

**Bill Me Later**  
**PO Box 105658**  
**Atlanta, GA 30348-5658**

**Builders Premier Insurance Company**  
**PO Box 150005**  
**Raleigh, NC 27624**

**Credit Bureau**  
**P.O. Box 26140**  
**Greensboro, NC 27402**

**Discover**  
**PO Box 6103**  
**Carol Stream, IL 60197-6103**

**Discover Financial Services**  
**PO Box 15316**  
**Wilmington, DE 19850**

**Employment Security Comm.**  
**P.O. Box 26504**  
**Raleigh, NC 27611**

First Bank  
PO Box 615  
Troy, NC 27371

First Bank Corp  
PO Box 615  
Troy, NC 27371

Foxcroft HOA  
c/o Presidia  
PO Box 7948  
Greensboro, NC 27417

Foxcroft HOA  
c/o Presidia  
PO Box 7948  
Greensboro, NC 27417

Foxcroft HOA  
c/o Presidia  
PO Box 7948  
Greensboro, NC 27417

Guilford County Tax Dept.  
P.O. Box 3427  
Greensboro, NC 27402

Hartford Fire Insurance Company  
PO Box 2907  
Hartford, CT 06104

Honda Finance  
PO Box 49070  
Charlotte, NC 28277

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Interstate Credit Collections  
711 Coliseum PLaza Ct  
Winston Salem, NC 27106

Jeff & Leanne Webster  
306 Trollinger Street  
Randleman, NC 27317

Macy's  
P.O. Box 183083  
Columbus, OH 43218-3083

Majestic Floor Covering, LLC  
4675 Us Highway 64 East Building 1  
Franklinville, NC 27248

Majestic Floor Covering, LLC  
c/o Carruthers & Roth  
PO Box 540  
Greensboro, NC 27402

Mendi Busick  
3309 Longview Drive  
Archdale, NC 27263

North Carolina Department of Revenue  
P.O. Box 1168  
Raleigh, NC 27602

Northstate  
PO Box 612  
High Point, NC 27261

Penn National Insurance  
PO Box 13746  
Philadelphia, PA 19101

PPG  
317 N. Main Street  
Pueblo, CO 81003

Randolph County Tax Dept.  
725 McDowell Road  
Asheboro, NC 27203

Santander Consumer USA  
P.O. Box 560284  
Dallas, TX 75356-0284

Seterus, Inc  
P.O. Box 54420  
Los Angeles, CA 90057-0420

Seterus, Inc  
P.O. Box 54420  
Los Angeles, CA 90057-0420

Sharrard & McGee  
PO Box 5869  
High Point, NC 27262

Spider, Div. of Safeworks, LLC  
c/o The Anderson Group  
3001 19th Street  
Metairie, LA 70002-4906

Suntrust Bank  
PO Box 4997  
Orlando, FL 32802

Suntrust Equity  
PO Box 791274  
Baltimore, MD 21279

Wells Fargo Auto  
P.O. Box 29704  
Phoenix, AZ 85038

Date: November 5, 2014

/s/ James L. Tennant  
James L. Tennant 6405